

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK

WAKE COUNTY

IN RE:

Foreclosure of Real Property Under Deed of
Trust from *GUSTAVO ROMANELLO AND*
ACELA ROMANELLO, HUSBAND AND WIFE,
in the original amount of *145,100.00*, dated *July*
22, 2005 and recorded on *July 25, 2005* in Book
011485 at Page *01309* and
rerecorded/modified/corrected on *July 24, 2006*
in Book *012075*, Page *00183*, Wake County
Registry

AFFIDAVIT

The undersigned, Cesar Romero, first being duly sworn, does hereby depose and
say:

I am a Foreclosure Analyst of BankUnited, the "Servicer" of the mortgage loan
subject to the above proceeding for BankUnited, the "Noteholder", and I am authorized to make the representations
contained in this Affidavit. I am of the age of the majority and I am under no disability.

For reference, the following party or parties listed on the Note, are referred herein as "Debtor": Gustavo
Romanello and Acela Romanello.

In my capacity, I have access to business records which are maintained in the course of its regularly conducted
business activities, including the business records for and relating to the Debtor's loan. I make this affidavit based
upon my review of those records (which include data compilations, electronically imaged documents, and other
information) during the normal course of business relating to the Debtor's loan and from my own personal knowledge
of how the records are kept and maintained as of the below executed date.

BankUnited is the noteholder of the loan account under Note signed by *Gustavo Romanello and Acela*
Romanello and Deed of Trust signed by *GUSTAVO ROMANELLO AND ACELA ROMANELLO, HUSBAND AND*
WIFE, dated *July 22, 2005*, in the original sum of *\$145,100.00*. The Deed of Trust is dated *July 22, 2005* and
recorded on *July 25, 2005* in Book *011485* at Page *01309* and rerecorded/modified/corrected on *July 24, 2006* in
Book *012075*, Page *00183*, in the Office of the Register of Deeds of Wake County, North Carolina.

I. DEFAULT ON DEBT

There has been a default in the payment of the indebtedness evidenced by said Note, the monthly payment for
June 1, 2010 and monthly payments thereafter are in arrears.

Because of said default the holder of said Note and indebtedness secured by said Deed of Trust at its option
and pursuant to the terms thereof has accelerated and declared the balance of said indebtedness to be immediately due
and payable, the current outstanding principal balance being *\$165,359.03* plus interest thereon from the last payment
made.

Said holder of said Note and indebtedness has demanded foreclosure of the Deed of Trust securing the same
for the purpose of satisfying the indebtedness according to the terms of the Note and Deed of Trust and has authorized
the Substitute Trustee to proceed in this foreclosure proceeding.

10-34290

EXHIBIT

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II. PROPERTY OCCUPANCY & RESOLUTION EFFORTS

Upon information and belief, the undersigned has no knowledge whether the Debtor will be occupying the property as of the date of the foreclosure hearing but may be occupying the property as of the date of this affidavit.

Upon information and belief, to voluntarily resolve the delinquency before the foreclosure proceeding the Noteholder and/or Servicer have attempted to communicate with the Debtor. These attempts may have included, without limitation, sending letters to the Debtor at the property address and/or any other known addresses; telephoning the Debtors to discuss options (unless Debtor has/have been discharged from a Bankruptcy Proceeding or relief from stay has been granted); and, if applicable, soliciting financial information from the Debtor to determine if they qualify for a loan resolution program.

It is requested that the Substitute Trustee foreclose the Deed of Trust under the power of sale contained within the Deed of Trust. The aforesaid has no knowledge of any defense that would prevent foreclosure of said Deed of Trust.

As of the date of this Affidavit, the efforts undertaken by the Noteholder and/or Servicer have not produced a mutually agreeable resolution to the delinquency and the undersigned asks this Court to enter an Order permitting foreclosure.

It is requested that this affidavit be received in evidence by the court in support of the right of the Noteholder to have the Substitute Trustee foreclose upon the lands conveyed by the Deed of Trust as well as evidence demonstrating that, upon information and belief, Servicer has attempted, in good faith, to resolve the delinquency short of a foreclosure sale pursuant to N.C. Gen. Stat. § 45-21.16C.

If the borrower has filed a Chapter 7 bankruptcy, this is not to be construed as an attempt to collect a debt.

This 9th day of February, 2011.

BankUnited



Title: Foreclosure Analyst

STATE OF Florida

COUNTY OF Miami Dade

Sworn to and subscribed before me this 9th day of February, 2011.

Vanessa Cortez
Notary Public

My commission expires: 4/27/2012

